HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition no. 1507 (S/S) 2005

Laljee Singh Yadv S/o Sri Ramayan Singh Yadav,
Presently posted as Assistant Teacher (Biology)
Govt. Higher Secondary School Bhoursa,
Nainital, district Nainital. ---Petitioner.

Vs.

1. State of Uttaranchal through
Principal Secretary (Education),
Uttaranchal Govt. Dehradun,
2. Director of Education,
Education Directorate,
Camp Office, Dehradun,
3. Joint Director of Education,
Kumaon Mandal, Nainital. ---Respondents.

Sri S.K. Mandal, learned counsel for the petitioner.
Learned Solicitor General for Union of India/respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri S.K. Mandal, learned counsel for the petitioner and learned Standing Counsel who accepts notice for the respondents.

By means of this writ petition, the petitioner has prayed to issue a writ, order or direction in the nature of mandamus directing the respondents to give him posting on the post of Assistant Teacher (L.T. Grade) at G.I.C. Haripur Harsan/Govt. Higher Secondary School, Beria Daulat, district Udham Singh Nagar or any other Schools in the plain area of any district.

Vide order dated 30.06.2005, the petitioner, who was working as Assistant Teacher, was transferred from Govt. Inter College, Kelakhera district Udham Singh Nagar to Govt. Higher Secondary School, Bhoursa district Nainital.

Submission of the petitioner is that he belongs to district Gajipur; his wife suffering from heart ailments, as such, he be

posted at G.I.C. Haripur Harsan or Govt. Higher Secondary School, Beria Daulat district Udham Singh Nagar. The petitioner has already made representation to the respondents on 01.07.2005, 15.07.2005 and 19.09.2005.

Without entering into merits of the case, I think it just and proper to direct the respondent no. 3 to take decision on the representation of the petitioner, earlier moved by him, within a stipulated period.

Accordingly, the respondent no. 3 i.e. the Joint Director of Education, Kumaon Mandal, Nainital is directed to take decision on the representation of the petitioner within a period of six weeks from the date of production of a certified copy of this order.

With this direction, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

October 7, 2005:
NCM: